



General Assembly

January Session, 2003

Amendment

LCO No. 7082

SB0096907082HD0

Offered by:

REP. HAMM, 34th Dist.

To: Subst. Senate Bill No. 969

File No. 634

Cal. No. 561

(As Amended By Senate Amendment Schedule "A")

"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."

1 Strike subsection (a) of section 7 in its entirety and substitute the
2 following in lieu thereof:

3 "(a) Whenever a subpoena is issued pursuant to sections 1 to 12,
4 inclusive, of this act, the prosecuting official shall, not later than
5 twenty-four hours after service of the subpoena, excluding weekends
6 and holidays, give written notice of the issuance of the subpoena to the
7 presiding judge for criminal matters in the courthouse where
8 compliance with the subpoena is required. Such notice shall include
9 the identity of the person and, if the production of property is
10 compelled, a description of the property. Such notice shall be
11 confidential and not subject to disclosure. The failure to give such
12 notice shall not invalidate the subpoena. Such presiding judge shall
13 assign a judge of the Superior Court to preside over the proceeding.
14 The assignment of such judge shall be confidential and not subject to

15 disclosure. The judge assigned to preside over the proceeding shall be
16 present at all times during the proceeding. The proceeding shall not be
17 open to the public. The judge assigned to preside over the proceeding
18 shall, for good cause shown, which may include a showing, after
19 inquiry by such judge, that such person has not had a reasonable
20 opportunity to consult an attorney, grant a continuance for such period
21 as such judge deems necessary."